IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.527 OF 2006
IN
SUIT NO.3860 OD 2003

M/s.United Corporation Plaintiff
versus
Devikabai Parshuram Bhoir & ors. Defendants
and
Ashabai Shashikant Patil & ors. Respondents

Ms.Bagkar i/by Tamhane & Co. for plaintiff.
Mr.Rajeev R. for defendants 4 to 8.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 1st August 2006

PC :

1. Mentioned. Not on board.

2. Ms.Bagkar appearing in support of this Chamber Summons states that the Chamber Summons has been duly served on the defendants so also the respondents. None has come forward to oppose the request of the plaintiff despite service.

3. There is no affidavit in reply either. By this Chamber Summons the plaintiff is desirous of impleading the heirs of the deceased defendant

no.3. There is a delay of about 2 years in moving this Court.

4. The circumstances in which the delay has occurred, have been set out in the affidavit in support. Sufficient cause is made out for delay of two years in moving this Court. In any event, applying well settled principles that a liberal view should be taken in such proceedings unless there is a clear case of lack of bona fides, in my view, the request can be considered.

5. Chamber Summons is made absolute in terms of prayer clauses (a), (a1) and (b). Amendment to be carried out within a period of two weeks from today. Amended copy of plaint to be served two weeks thereafter. No order as to costs.

(S.C.DHARMADHIKARI, J.)